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November 27, 2017

VIA EMAIL

AUSAs Maria Armijo, Randy Castellano, Matthew Beck
The United States Attorney's Office for the District of NM
200 N. Church Street, Suite 300
Las Cruces, NM 88001-3512

Re: **United States v. Christopher Garcia, 15-CR-4268-JB.**

Dear AUSAs:

Per the Court's order on November 9, 2017, counsel for Mr. Christopher Garcia requests the following information regarding the DNA testing of the firearm and holster performed by FBI DNA Analyst, Tiffany L. Smith (Doc. 1242).

This following list was summarized by the Court, reading from Attorney General Loretta Lynch's, January 2017 guidelines for the U.S. Department of Justice based on recommendations from the National Commission on Forensic Science.

- The forensic expert's report (disclosed as Bates # US v DeLeon 28441-28443);
- A written summary, sufficient to explain the basis and reasons for the expert's expected report;
- A copy of or access to the laboratory or forensic expert's case file, either electronic or hard copy, describing the facts or data considered by the forensic expert,

including the underlying documentation of examination or analysis performed, and contain the material necessary for another examiner, the defendant's expert, to understand and interpret the expert's report. The case file may include, but is not limited to, such items as chain of custody, photographs, analysis, worksheets, bench notes, scope of work, and examination plan data;

-Laboratory policies and protocols, and in some circumstances, the laboratory provides this information online, and the prosecutor may simply share the website address with the defense. Otherwise, determination regarding disclosure of this information should be made on a case-by-case basis in consultation with the forensic analyst involved, taking into account the particularity of the defendant's request and how relevant the request appears to be to the anticipated offenses;

-The qualifications of the expert.

Transcript of the November 9, 2017 hearing pages 204-207. Doc. 1457.

The defense requests these materials immediately, in order to provide them to Mr. Garcia's DNA expert, who will likely provide an affidavit that he needs the policies and procedures to properly review the FBI's DNA testing, findings, and results. *Id.* at p. 222.

If you have any questions, please feel free to call me.

Very truly yours,
Law Office of Amy Sirignano, PC

/s/ electronically signed
Amy Sirignano, Esq.